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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,223	01/21/2004	Kia Silverbrook	RRA10US	1378
24011	7590	11/23/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			MARTINEZ, CARLOS AUGUSTO	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,223

Applicant(s)

SILVERBROOK ET AL.

Examiner

Carlos A. Martinez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/21/2004 (amended 07/06/2005) is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20041108.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: element 46 (refer to Fig. 6), element 8016 (refer to Fig. 10, Fig. 11, and Fig. 12), element 8012 (refer to Fig. 14), element 8023 (refer to Fig. 17), element 125 (refer to Fig. 25), element 108 (refer to Fig. 26), element 104 (refer to Fig. 26), element 125A (refer to Fig. 26), and element 189 (refer to Fig. 26). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "190" has been used to designate both a spring (Fig. 27 and pg. 23, line 16) and lug (Fig. 35, 36, and 37; and pg. 22, line 18). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each

drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 122 (pg. 7, line 17) [note: should refer to Fig. 3], 124 (pg. 7, line 8) [note: should refer to Fig. 3], 156 (pg. 13, line 27) [note: not found in Fig. 20; suggest that reference be made to Fig. 31], 192 (pg. 22, line 24), 35 (pg. 24, line 7), and 14 (pg. 27, line 17). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that

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explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Specification

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The abstract of the disclosure is objected to because the abstract was not within the range of 50 to 100 words. Correction is required. See MPEP § 608.01(b).

7. The disclosure is objected to because of the following informalities: "a number printing" (pg. 4, line 5) [note: suggest that change be made to "a number of printing"], "56which" (pg. 7, line 18), "Figure 4" (pg. 15, line 19) [note: should refer to Figure 34], "bias" (pg. 23, line 19) [note: suggest that change be made to "biasing"], and "andflex" (pg. 24, line 27).

Also reference character "801" has been used to designate both a nozzle arrangements (pg. 8, line 20) and silicon wafer substrate (pg. 9, line 1). Also reference character "28" has been used to designate both an ink outlet pin (pg. 26, line 25) and reservoirs (pg. 26, line 30).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cowger (US5572245) in view of Bork (US4371881).

-- Cowger discloses a printer cartridge with a “printer fluid storage” (refer to Fig. 1, element 18 and column 3, lines 11-13), a “printhead in fluid communication with the printing fluid storage” (refer to Fig. 16, element 18 and column 3, lines 13 and 14), and “an assembly auxiliary to the printhead” (refer to Fig. 1, element 10 and column 3, lines 53 - 63).

-- Cowger, however, fails to teach an assembly auxiliary that is arranged to selectively perform a number of different functions in respect of the printhead.

-- Bork teaches an assembly auxiliary arranged to selectively perform different functions with respect to the printhead (refer to Fig. 1, element 1 and column 2, lines 26 – 45; and column 3, lines 48 – 61).

-- Therefore, in dealing with a printer cartridge, it would have been obvious to one having skill in the art at the time the invention was made to modify the device of Cowger by using an assembly auxiliary to the printhead arranged to selectively perform different functions with respect to the printhead, as taught by Bork, for the purpose of protecting and cleaning of the printheads.

-- Further, with respect to claim 2, it would have been obvious to one having skill in the art at the time the invention was made to modify Cowger to include differing functions in respect of the

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printhead, as taught by Bork, for the purpose of providing a blotting, capping, or plattening functionality (especially with regards to a page-wide array or pagewidth printheads).

-- Further, with respect to claim 3, it would have been obvious to one having skill in the art at the time the invention was made to modify the device of Cowger with a pivoting or rotating member coupled to the printer cartridge adjacent the printhead, as taught by Bork, for the purpose of providing differing functional use with regards to the printhead.

10. Claims 4, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cowger in view of Bork as applied to claims 1, 2, and 3 above, and further in view of Silverbrook (US6318920).

-- Cowger, as modified with Bork, lacks a rotatable member that includes a number of faces each to perform a differing function.

-- Silverbrook teaches, in his patent publication of November 20, 2001, the use of a rotating platen member that includes a capping device, a platen surface, and a blotting device (refer to Fig. 3. element 14 and column 8, lines 19 – 21).

-- Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify Cowger, in view of Bork, to include a rotatable member that had a number of faces configured to have differing functions for the purpose of providing service to the printhead with one member, as taught by Silverbrook, for the purpose of not having multiple members with each having a single function which would occupy more room than necessary.

-- Further, with respect to claim 5, it would have been obvious to one having skill in the art at the time the invention was made to modify Cowger, in view of Bork, to also provide engagement

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means fastened to the rotatable member for engagement by the inkjet printer, as taught by Silverbrook (refer to column 8, lines 12 – 43), for the purpose of operation with the printhead.

-- Further, with respect to claim 6, it would have been obvious to one having skill in the art at the time the invention was made to modify Cowger, in view of Bork, to have a biasing means to bias a face of the rotatable member against the printhead, as taught by Silverbrook, for the purpose of functional use and proper contact.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cowger in view of Bork as applied to claim 1 above, and further in view of McClelland (US6135586).

-- Cowger, as modified by Bork, lacks a print cartridge with a pagewidth printhead.

-- However, McClelland teaches the use of a pagewidth printhead (refer to Fig. 1 and column 1, lines 60 – 66).

-- Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify Cowger, in view of Bork, to utilize a printer cartridge with a pagewidth printhead, as taught by McClelland, for the purpose of reducing the traversing of the printer cartridge across an entire page when printing and for quicker printing.

Pertinent Art References

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Appropriate prior art, which is nearest to the subject matter defined in the claims, is listed in the Notice of Reference Cited. These prior art references, such as Martin (US5155497), Johnson (US6851787) and Humbs (US4855764), are included because they pertain to print

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cartridges or subject matter/elements pertinent to print cartridges similar to those defined in the claims of the applicant.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos A. Martinez whose telephone number is (571)272-8349. The examiner can normally be reached on 8:30 am - 5:00 pm (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEPHEN D. MEIER can be reached on (571)272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CAM
11/14/2005

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PRIMARY EXAMINER